

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BERNIE MIMS,	:	CIVIL ACTION NO. 1:06-CV-1480
	:	
Plaintiff,	:	(Judge Conner)
	:	
v.	:	
	:	
JONATHAN C. MINER, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 27th day of March, 2007, upon consideration of plaintiff's motion for appointment of counsel (Doc. 26), and it appearing that, at this early stage in the proceeding, plaintiff is capable of properly and forcefully prosecuting his excessive force and due process claims, and that resolution of the facial merit of plaintiff's claims neither implicates complex legal or factual issues, nor requires factual investigation or the testimony of expert witnesses, see Montgomery v. Pinchak, 294 F. 3d 492, 499 (3d Cir. 2002) see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel), it is hereby ORDERED that the motion (Doc. 26) is DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff. See id.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge